IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

MONDAY, THE 19TH MARCH 2007 / 28TH PHALGUNA 1928

CRP.No. 258 of 2007

OPELE.180/2004 of ADDL.DISTRICT COURT (ADHOC)-II, ERNAKULAM

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REVN. PETITIONER/RESPONDENT:

KERALA STATE ELECTRICITY BOARD
REP. BY ITS SECRETARY, VYDYUTHI BHAVAN,
PATTOM, THIRUVANANTHAPURAM.

BY ADV. SRI.C.K.KARUNAKARAN, SC FOR KSEB

RESPONDENT/PETITIONER:

SRI.JOSEPH, S/O CHACKO,
CHUMMARUPARAMBIL,
VEZHAPARAMBU,
MULAMTHURUTHI.

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 19/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.P. Balachandran, J.

C.M.Appl.No. 320 of 2007 &

C.R.P.No. 258 of 2007

ORDER

C.M.Appl.No.320/07

This is an application for condonation of delay of 306 days in filing the revision petition. In the affidavit, filed by the Assistant Executive Engineer of the KSEB in support of the application, it is stated that impugned award was passed by the court below on 23.12.2005; that copy of the award was applied for only on 17.8.2006, after almost about eight months; that the copy was received on 4.10.2006; that the Board decided to file revision on 13.2.2007; that instruction to file revision was received by the counsel only on 21.2.2007; that the revision is filed on 12.3.2007 and that thus, there is a delay of 306 days in filing this revision petition and the delay is due to administrative exigencies. The averments made in the affidavit show that all, who were engaged in conduct of the

case were irresponsible and negligent in prosecuting the case and that is no ground to condone the delay of as many as 306 days in filing the revision petition. This C.M.Application is, hence, dismissed.

C.R.P.No.258/07

C.M.Appl.No.320/07 seeking for condonation of delay of 306 days in filing the civil revision petition is dismissed. Consequently, this revision, filed far out of time, is not maintainable and is dismissed.

19th March, 2007 (K.P.Balachandran, Judge)

tkv